

NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN THE MATTER OF THE EXTRADITION)	
)	No. 08 M 85
OF)	
)	Hon. Martin C. Ashman
BRENDA QUEVEDO CRUZ)	

GOVERNMENT'S MOTION FOR EXTENSION OF TIME

The UNITED STATES OF AMERICA, by its attorney, PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, pursuant to Federal Rule of Criminal Procedure 45(b), moves this Court for a three week extension of time, to and including September 4, 2008, to file its brief and to reschedule oral argument in this case. In support of this motion, the government incorporates the attached affidavit of Assistant United States Attorney Shoshana L. Gillers.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

By: s:/Shoshana L. Gillers
SHOSHANA L. GILLERS
Assistant United States Attorney
219 S. Dearborn St.
Chicago, Illinois 60604
(312) 353-5310

STATE OF ILLINOIS)
)
COUNTY OF COOK)

AFFIDAVIT

Shoshana L. Gillers, Assistant United States Attorney, being duly sworn, deposes and states as follows:

1. I am the Assistant United States Attorney assigned to handle the government's brief in *In the Matter of the Extradition of Brenda Quevedo Cruz*. Currently, the government's brief is due August 14, 2008, and oral argument is scheduled for August 15, 2008. This affidavit is submitted in support of a request that the time for filing the government's brief be extended three weeks, to and including September 4, 2008, and that oral argument be rescheduled for a time thereafter.

2. I learned late on Friday that the Government of Mexico has prepared an additional supplemental filing that includes information which directly contradicts the allegations of the defendant that one of the witnesses was tortured. *First*, the supplemental filing includes information that the injuries to the witness were the result of an automobile accident and not beatings. *Second*, the supplemental filing includes information that the witness brought the torture allegations to the attention of the court in Mexico, and both that court and the court of appeals rejected her claims.

3. The supplemental filing is currently in the process of being translated from Spanish to English. We anticipate that the translation will be complete by August 25, 2008.

4. I have long standing plans to be out of the office on vacation the week of August 25, 2008. An extension of time, until September 4, 2008, to file the government's brief, would give me sufficient time to incorporate the substance of the supplemental filing into the government's brief, upon my return.

5. This is the government's first request for an extension of time in this case. This motion is not brought for the purpose of unnecessary delay.

SHOSHANA L. GILLERS
Assistant United States Attorney

SUBSCRIBED AND SWORN TO BEFORE ME

this _____ day of _____, Year

NOTARY PUBLIC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN THE MATTER OF THE
EXTRADITION OF

BRENDA QUEVEDO CRUZ

)
)
) No. 08 M 85
)
) Hon. Martin C. Ashman
)

CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that the following document: NOTICE OF FILING was served on August 18, 2008 in accordance with Fed. R. Crim. P. 49, FED. R. CIV. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF) pursuant to the district court's system as to ECF.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

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